

# PATENT COOPERATION TREATY

# PCT

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference <b>RLL - 462WO</b>	<b>FOR FURTHER ACTION</b> see Form PCT/ISA/220 as well as, where applicable, item 5 below.	
International application No. <b>PCT/IB2004/003571</b>	International filing date (day/month/year) <b>01/11/2004</b>	(Earliest) Priority Date (day/month/year) <b>07/11/2003</b>
Applicant <b>RANBAXY LABORATORIES LIMITED</b>		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 8 sheets.

It is also accompanied by a copy of each prior art document cited in this report.

**1. Basis of the report**

a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

The international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b.  With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.

2.  **Certain claims were found unsearchable** (See Box II).

3.  **Unity of invention is lacking** (see Box III).

4. With regard to the **title**,

the text is approved as submitted by the applicant.

the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

the text is approved as submitted by the applicant.

the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regard to the **drawings**,

a. the figure of the **drawings** to be published with the abstract is Figure No. 1

as suggested by the applicant.

as selected by this Authority, because the applicant failed to suggest a figure.

as selected by this Authority, because this figure better characterizes the invention.

b.  none of the figures is to be published with the abstract.

## INTERNATIONAL SEARCH REPORT

International Application No  
PCT/IB2004/003571A. CLASSIFICATION OF SUBJECT MATTER  
IPC 7 C07D501/00 A61P31/00 A61K31/545

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)  
IPC 7 C07D A61P A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, PAJ, WPI Data

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category <sup>°</sup>	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 6 342 493 B1 (ONODERA MASAHIRO ET AL) 29 January 2002 (2002-01-29) cited in the application examples 1-14 -----	1-5, 45, 46
X	US 6 294 669 B1 (YASUI KIYOSHI ET AL) 25 September 2001 (2001-09-25) cited in the application claims; examples 1-9 -----	1-17, 45, 46
X	US 2002/002279 A1 (YASUI KIYOSHI ET AL) 3 January 2002 (2002-01-03) claims; examples 1-9 -----	6-17
X	WO 98/12200 A (MEIJI SEIKA KAISHA LTD; YASUI, KIYOSHI; ONODERA, MASAHIRO; SUKEGAWA, M) 26 March 1998 (1998-03-26) claims; examples 1-9 -----	6-17
		-/-

 Further documents are listed in the continuation of box C. Patent family members are listed in annex.

## ° Special categories of cited documents :

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

- "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- "&" document member of the same patent family

Date of the actual completion of the international search

4 May 2005

Date of mailing of the international search report

12.05.2005

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## INTERNATIONAL SEARCH REPORT

International Application No
PCT/IB2004/003571

## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	JP 2001 131071 A (MEIJI SEIKA KAISHA LTD) 15-May-2001 (2001-05-15) abstract -----	18-35, 44
X	EP 1 051 978 A (MEIJI SEIKA KAISHA, LTD) 15 November 2000 (2000-11-15) examples 1-14, comparative examples 1,2claims 8-11 -----	36-43
X	US 2002/037322 A1 (ONODERA MASAHIRO ET AL) 28 March 2002 (2002-03-28) examples 1-14, comparative examples 1, 2claims 8-11 -----	36-44

## INTERNATIONAL SEARCH REPORT

International application No.  
PCT/IB2004/003571

### Box II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1.  Claims Nos.: because they relate to subject matter not required to be searched by this Authority, namely:
  
2.  Claims Nos.: because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
  
3.  Claims Nos.: because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

### Box III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

see additional sheet

1.  As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
  
2.  As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
  
3.  As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
  
4.  No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

#### Remark on Protest

The additional search fees were accompanied by the applicant's protest.

No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. claims: 1-5, 45, 46

cefditoren pivoxyl (crystalline and amorphous compounds), pharmaceutical composition, and use for treating infections

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2. claims: 6-35

processes for preparing crystalline or amorphous cefditoren pivoxil using an organic solvent

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3. claims: 36-43

process for preparing amorphous cefditoren pivoxil using an acid

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4. claim: 44

process for preparing cefditoren pivoxil starting from a mixture of crystalline and amorphous cefditoren pivoxil

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## INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No  
PCT/IB2004/003571

Patent document cited in search report	Publication date	Patent family member(s)		Publication date
US 6342493	B1	29-01-2002	AU 736555 B2 AU 1784599 A BR 9907084 A CA 2316841 A1 CN 1290177 A ,C EA 2881 B1 EP 1051978 A1 HK 1035148 A1 HU 0101272 A2 ID 25469 A WO 9934832 A1 JP 3413406 B2 NZ 505871 A PL 341589 A1 SK 10262000 A3 TR 200001903 T2 TW 587946 B US 2002037322 A1	02-08-2001 26-07-1999 17-10-2000 15-07-1999 04-04-2001 31-10-2002 15-11-2000 19-11-2004 28-12-2001 05-10-2000 15-07-1999 03-06-2003 25-10-2002 23-04-2001 18-01-2001 21-11-2000 21-05-2004 28-03-2002
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## INTERNATIONAL SEARCH REPORT

Information on patent family members

Int'l Application No

PCT/IB2004/003571

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